

# Waste Reduction Task Force

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## *Infrastructure and Financial Development Work Group #4*

**Fourth Meeting – January 18, 2008**

### **Meeting Summary**

Work Group Members Present: Jeff Heyduck, Randy Etheridge, Mark Kinsey, Pat Riley,

Facilitator: Larry Christley, TDEC

The Infrastructure and Financial Development Work Group met on Thursday January 18, 2008 from 9:00 a.m. until 3:00 p.m. at the Gibson County Gas Utility building. John McFadden was not present but supplied group with responses to questions.

The Work Group went through the clarification questions that TDEC provided. Both general sections were completed with only about half of the specifically directed Work Group 4 questions being completed. The remainder will be addressed in a subsequent meeting.

The following is a compilation of the conclusions of the Work Group's responses:

### **CONSTRUCTION AND DEMOLITION TARGET QUESTIONS**

1. Is all landfilling the same as Class I landfilling (Landfilling is landfilling)? If so, what should be done to address this?
  - A. Yes, the Workgroup agrees that Landfilling is Landfilling.
  - B. Provide annual disposal amounts in Annual Progress Report each year as we are currently doing using a volume conversion (no scales present). Reasoning: Volume conversion over a year will average and get a fairly accurate tonnage amount.
2. Should scales be required to be installed at all Class III/IV landfills? (This would require collecting amounts by weight/ton not by volume/cubic yards.)
  - A. Scales should be encouraged but not required. Maybe target the larger Class III/IV landfills at some threshold and require scales. This may ultimately help financially the smaller host counties. The thinking is that the larger Class III/IV landfills are located in the larger counties. By requiring a scale at the larger facilities, it might encourage the transporting to smaller landfills helping them financially and spreading the waste around through better economy of scale.

3. Should Construction and Demolition be counted as disposal if landfilled (not reused or recycled)?
  - A. Yes, again landfilling is landfilling
4. Should the State charge a surcharge on Class III/IV disposal? If so, how much?
  - A. Yes, with one qualification this is: local governments programs should be exempt of surcharge to prevent an apparent double taxation.
  - B. Surcharge amount should be tied to the Solid Waste Assistance portion which is currently \$0.90 and should go up or down as the SWAP surcharge does. The reasoning is that the Environmental Protection Fund or EPF already pays for the inspection of the Class III/IV facilities and is not needed.
5. Should the California Construction and Demolition Deposit system model be enacted?
  - A. Yes, this should definitely be pursued. Legislative action should give the power to local governments to do this, but should not be required or forced upon local governments. Local governments using this type program should receive credit in any qualitative goal review.
6. Should tax breaks be given to construction and demolition recyclers?
  - A. Look into Canadian model (Mark Kinsey will look into it). The Workgroup agreed that it needs more discussion to decide. Maybe it ought to be used as an incentive.
7. Should the State require Class III/IV origin reporting similar to the Class I origin reports?
  - A. Yes, again landfilling is landfilling.
8. Should air curtain destructors or pit burners be considered as waste reduction efforts as are currently allowed with the markets available for recycling these materials?
  - A. Yes, the Solid Waste Disposal Control Board has already ruled on this and should be respected.
  - B. Also, Material Derived Fuel (MDF) or Waste-To-Energy (WTE) should definitely be considered as positive also.
9. What should be the construction and demolition goal and the timeline for implementation of it?

A. Five year implementation plan. The first step should be to increase the level of segregation of waste at these facilities (because the waste going to the Class III/IV landfill has already started this process) for future reclamation and use and stored in all future new cells. Maybe provide incentives to them for doing this as a Participation goal. Reduction Goal: At least maintain existing Class III/IV disposal tonnage rate for two years, then reduce disposal tonnage rate by a small percent for two years and then re-assess disposal rate for year and then repeat process again over the next five years.

10. Should the State implement deconstruction initiatives? If so, what?

- A. Yes
- B. All new government contracts should have a required deconstruction plan that promotes waste reduction.

11. Should the State fund future studies on waste stream analysis?

- A. Yes, every five years.

12. Should the State require local governments (city or county) to accurately report construction and demolition wastes that are generated?

- A. Yes, the State and local governments should continue to improve on current reporting.

13. Should a construction and demolition disposal tax fund infrastructure for local governments?

- A. Yes, but steps should be taken to keep this money from entering the general fund and it should be directed strictly to an enterprise fund account for solid waste and recycling.

14. Should construction and demolition be diverted to construction and demolition recyclers for credit on any waste reduction goal?

- A. Yes

15. Should host counties of Class I landfills be required to haul out construction and demolition to Class III/IV facilities or establish Class III/IV facilities if they do not have one?

- A. No. absolutely not.

16. Should the State require at least a minimum of 50% of construction and demolition waste be used as Alternate Daily Cover (ADC) or recyclables at Class I landfills?

- A. It should be encouraged with economic incentives.

17. Should the State require **50%** of construction and demolition materials at construction and demolition processing facilities be used (required) for beneficial end use?

A. It should be **encouraged** with economic incentives.

18. Should the State give local governments the jurisdiction/ability to write construction and demolition ordinances similar to California and others?

A. Yes.

19. How should local level public education on solid waste/construction and demolition be handled?

A. Encourage TNSWEP to partner with the Litter Grant money locally with local government input. Possibly have a required curriculum addition to school program for a locally determined range of grades to be conducted on a yearly basis. This curriculum should be developed by TDEC in conjunction with Department of Education.

20. Should incentives and legislation for green building by local and State government projects be required in all grants and loans the State sponsors?

A. It should be **encouraged** with economic incentives.

21. Should sales tax exemptions be enacted for recycling related equipment?

A. Yes, it should apply to any equipment used directly for recycling.

22. Should those taking construction and demolition to Class I facilities instead of Class III/IV facilities be penalized? Should this also pertain to disaster debris management?

A. No, landfilling is landfilling.

B. Local government should follow their FEMA 325 plan and their solid waste plan on disaster debris management.

23. Should incentives for use of on site of construction and demolition materials be enacted? If so, what?

A. Yes, along as environmentally sound and safe from a RCRA standpoint. Specific incentives should be defined.

24. Define construction and demolition waste(s)

A. Deferred. Should possibly be broken into Construction and then Demolition. Thoughts are that this has already been defined and we ought to look at this first.

#### GENERAL SOLID WASTE/WASTE REDUCTION QUESTIONS TO ANSWER

1. Are solid waste bans out? If not, where should they be enacted (State, Local, by Landfill)?

- A. Landfills should decide on banned material based on market and regulatory conditions. Local governments should implement as infrastructure allows as well as local politics. Any locally enacted bans should be counted towards waste reduction efforts qualitatively.
- 2. Should specific authority be given to local governments to ban materials from landfill?
  - A. Yes
- 3. Define landfill ban (What “contamination” level is acceptable? Etc.)
  - A. RCRA definitions are in place already so use it, otherwise let banning authority decides.
- 4. Should law be enacted to provide tax incentives to businesses for recycle content and reducing waste streams?
  - A. The group believes that the sales tax recycling equipment incentive should work better. Businesses already solicit and receive the tax incentives to do what they want. Thus, it may not be effective because of this.
- 5. Should municipalities be held equally responsible for any waste reduction/solid waste goal?
  - A. Yes, Municipalities that have solid waste management systems should be required to prepare and manage a solid waste plan.
- 6. Should municipalities of \_\_\_\_\_ population be required to prepare a municipal solid waste plan?
  - A. Municipalities that have solid waste management systems should be required to prepare and manage a solid waste plan.
- 7. Should municipalities contact private industry for plans on handling municipal solid waste in their regions?
  - A. Already being done is the group’s general consensus.
- 8. Should grants be established to help launch new employees at recycling facilities?
  - A. Yes, a one-time receding grant over three years.
- 9. Should we primarily focus on the top 10 counties that generate (65% of ) waste?
  - A. Yes
- 10. Should we start at twenty-five percent (25%) waste reduction or recycling based on the participation of group’s discussions?

- A. State should reassess what the current public recycling numbers are compared to disposal numbers and set an appropriate target percentage at that point.
  - B. Everyone should meet goal prior to moving forward on a statewide goal. In other words all other must be up to standard with everyone else.
11. Define waste reduction or recycling and how to quantify for any goal that would involve this method.
- A. There should be several categories with local governments having to meet a set majority based on their local conditions. Categories would include but not be limited to: Waste Reduction Rate, Minimum levels of service, financial goals (enterprise fund accounting), staffing goals, program goals, disposal reduction goals, C&D goals, BOPA-E management goals, etc.

#### INFRASTRUCTURE AND FINANCIAL DEVELOPMENT (PARTIALLY COMPLETE)

Facilitators: Take the discussion notes and expand repeating themes.

Facilitators: Ask the interrogatives on the expansion of repeated themes (Who, What, When, Where, Why, and How) to more clearly identify groups recommendations.

1. Should there be a minimal level of infrastructure for local governments? If so, what?
  - A. Require solid waste director or recycling coordinator [with at least 55% of duties are related to solid waste] (fund with pilot program grant 3-2-1 mentioned earlier), minimum number of convenience centers, recycling system of some type available to all citizens consisting of: some fiber category, some metal recycling and management of required problem waste.(BOPA-E)Tires.
2. How should an integrated solid waste management system be implemented and measured?
  - A. Ramp up over time (baby steps), core system should consist of collection, separation, segregation, producing products (commodities), managing outputs (wastes).
3. What level of solid waste planning should be done by the solid waste planning regions and its constituents?
  - A. By county/ local government only.
4. How should goal initiatives be funded and sustained?

- A. Surcharge on Class I and III/IV landfills, enterprise fund accounting on all host fees collected and solid waste revenues, run fund as a utility and not hide costs in the budget.
- 5. Should all solid waste activities be under an enterprise fund accounting or full cost accounting?
  - A. Yes, emphatically
- 6. Should solid waste be treated like any other utility and be under the direction of a utility type board or expand existing Solid Waste Disposal Control Board powers to review of financial audits etc. like the water and wastewater financing board and or utility management review board who review finances, require rate increases, changes in management to effectuate a positive fund balance for the utility?
  - A. TABLE FOR LATER
- 7. Should counties that host Class I landfills and receive free landfill be subject to a special host surcharge for solid waste to slow disposal?
  - A. No.
- 8. Should the State/County/Municipalities take a serious look at Pay as You Throw?
  - A. No but should be a local decision.
- 9. Should we look at something like Recycle Bank?
  - A. No.
- 10. Should we enact product stewardship legislation? If so, what?
  - A. Use existing product stewardship (ISO 14001, ISO9000, examples)